

Appl. Serial No. 09/831,254
Amendment dated February 22, 2005
Reply to Office Action mailed September 22, 2004

REMARKS/ARGUMENTS

Claims 1-12 and 19-25 are pending. Claims 1 and 19-25 have been amended herein. Claims 13-18 and 26-29 have been cancelled without intending to abandon or to dedicate to the public any patentable subject matter. As set forth more fully below, reconsideration and withdrawal of the Examiner's rejections of the claims are respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected Claims 1-10, 13-15, 17-21 and 26-29 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 97/09856 (hereinafter "Azima"). As noted above, Claims 13-18 and 26-29 have been cancelled.

Regarding Claims 1-10 and 19-21, Applicants have amended Claim 1 to recite a portable loudspeaker comprising a sound generating unit in a housing having an outer shape of a conventional storage device selected from the group consisting of CD box, tape cassette box and minidisk box. Applicants have appreciated that a loudspeaker with a housing of substantially the same shape and dimensions as such boxes – which typically are of standard size – is likely to be more readily accepted by users of personal players because its size is in keeping with existing peripheral apparatus (*e.g.* boxed CDs, tapes or minidisks) carried by users.

Azima describes a portable audio apparatus in the form of a CD player comprising a body portion and panel-form loudspeakers. The loudspeakers are mounted (*e.g.* with hinges) to the body portion that houses the CD player component (see page 3, line 24 to page 4, line 4). CD players have their own characteristic size and shape which is different to that of the standard-sized, conventional CD box storage device. (For example, conventional CD box storage devices are planar and rectangular, having sharp edges and corners, whereas CD players are streamlined or contoured,

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having rounded edges and corners). There would be no reason to make the CD player in the shape of a conventional CD box. Thus, Applicants submit that the invention recited in Claim 1 is neither apparent from, nor suggested by, Azima and is therefore patentably distinct.

Applicants therefore respectfully request that the Examiner's rejection under 35 U.S.C. § 102(b) be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected Claims 11 and 12 under 35 U.S.C. § 103(a) as being obvious over Azima in view of U.S. Patent No. 5,349,575 (hereinafter "Park"). As noted above, Applicants have amended Claim 1 to recite a portable loudspeaker comprising a sound generating unit in a housing having an outer shape of a conventional storage device and this loudspeaker is neither apparent from, nor suggested by, Azima. Park does not overcome the limitations of Azima and thus the combination of Azima and Park does not teach or suggest all of the limitations of Claims 11 and 12, as amended.

The Examiner has also rejected Claim 16 under 35 U.S.C. § 103(a) as being obvious over Azima in view of U.S. Patent No. 4,450,495 (hereinafter "Naruki"). As noted above, Applicants have amended Claim 1 to recite a portable loudspeaker comprising a sound generating unit in a housing having an outer shape of a conventional storage device and this loudspeaker is neither apparent from, nor suggested by, Azima. Naruki does not overcome this shortcoming of Azima and thus the combination of Azima and Naruki does not teach or suggest all of the limitations of Claim 16, as amended.

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Therefore, Applicants submit that the combination Azmia with Park or Naruki does not teach all of the limitations of the presently pending claims, as amended and respectfully request that the rejection under 35 U.S.C. § 103(a) be withdrawn.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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Date: 22 FEB 2005